



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ventura Fish and Wildlife Office
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Ventura, California 93003

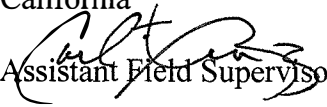


IN REPLY REFER TO:
81440-2011-F-0382

June 21, 2011

Memorandum

To: Field Manager, Barstow Field Office, Bureau of Land Management, Barstow, California

From:  Assistant Field Supervisor, Ventura Fish and Wildlife Office, Ventura, California

Subject: Acknowledgment of Request to Initiate Formal Consultation for the Issuance of a Right-of-Way Permit for the Nursery Products, LLC Hawes Composting Facility Project, San Bernardino County, California (2810 (P) CAD0800.20)

This memorandum acknowledges our receipt of your June 16, 2011, electronic mail request for initiation of formal consultation, pursuant to section 7 of the Endangered Species Act of 1973, as amended (Act). The consultation concerns the potential effects of the Bureau of Land Management's proposed issuance of a right-of-way permit to Nursery Products, LLC for the improvement and use of an existing access road, and the construction, operation, and maintenance of the proposed Hawes Composting Facility on the federally threatened desert tortoise (*Gopherus agassizii*) and its critical habitat.

All information required of you to initiate consultation was either included in your biological assessment, received by us on May 18, 2011, or is otherwise accessible for our consideration and reference. We have assigned log number 8-8-11-F-29 to this consultation. Please refer to that number in future correspondence on this consultation. The regulations, which implement section 7, allow the Service up to 90 days to conclude formal consultation with your agency and an additional 45 days to prepare our biological opinion (unless we mutually agree to an extension). We have developed a preliminary schedule based on the date we received your biological assessment and expect to provide you with our biological opinion on August 2, 2011.

As a reminder, section 7(d) of the Act requires that, after the initiation of formal consultation, the lead federal agency may make no irreversible or irretrievable commitment of resources that could preclude the formulation or implementation of reasonable and prudent alternatives to avoid jeopardizing the continued existence of endangered or threatened species or destroying or modifying critical habitat.



Field Manager

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If you have any questions or concerns about this consultation or the consultation process in general, please feel free to contact Erin Nordin of the Ventura Fish and Wildlife Office at telephone (909) 382-2959.

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